

ARC.009A

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul Strong, et al.

App. No. : 09/802,046

Filed : March 8, 2001

For : **METHOD AND APPARATUS FOR  
ENHANCING THE  
PERFORMANCE OF A PIPELINED  
DATA PROCESSOR**

Examiner : Unknown

Group Art Unit: 2123



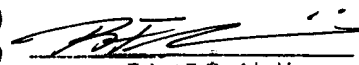
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PATENT, TRADEMARK OFFICE

I hereby certify that this correspondence and  
all marked attachments are being deposited  
with the United States Postal Service as first-  
class mail in an envelope addressed to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231, en

September 24 2001

(Date)

  
Robert F. Gazdzinski  
Reg. No. 39,990

**DECLARATION OF FACTS IN SUPPORT OF APPLICANT'S PETITION TO  
PROCEED WITHOUT NONSIGNING INVENTOR**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Lorna Buckland, declare as follows:

1. That I am the Human Resources Manager at ARC International (UK) Ltd., the last known place of employment for the non-signing joint-inventor, Paul Strong, with regard to the subject application.

2. Over the past eleven (11) months, numerous efforts have been made by myself and Debbie Evans, Human Resources Assistant at ARC International (UK) Ltd. (no longer employed by ARC) to locate and maintain contact with Paul Strong, as follows:

a. October 13, 2000 - A letter (Exhibit A) was written to Mr. Strong addressing the fact that he had not reported to work for several days and had not called in.

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b. Thereafter, there were several periods of absence from work by Mr. Strong between November 13, 2000 and November 29, 2000.

c. The last contact with Mr. Strong (i.e., his last attendance at work) was December 21, 2000.

d. On January 5, 2001, Debbie Evans wrote to Mr. Strong inquiring as to his whereabouts. No reply was subsequently received.

e. On January 12, 2001, Debbie Evans again wrote to Mr. Strong (Exhibit B) inquiring as to his whereabouts in that we had not received a reply to our earlier letter and could not reach him by way of telephone.

f. On January 15, 2001, Mr. Strong telephoned and advised that he had been signed-off as sick. (Exhibit C)

g. On January 16, 2001, Debbie Evans tried to reach Mr. Strong on four (4) occasions by telephone, but to no avail. She then wrote to Mr. Strong reiterating that we required regular contact in order to continue his employment.

h. On January 18, 2001, we received an electronic mail (e-mail) from Mr. Strong, who advised that he was still not well. In response, I wrote to Mr. Strong via e-mail and requested permission to obtain a doctor's report.

i. On January 23, 2001, I attempted to reach Mr. Strong via telephone, but received no reply. Later, an e-mail was received from Mr. Strong indicating there had been no change in his health.

j. On January 29, 2001, Debbie Evans again wrote to Mr. Strong (Exhibit D) in that he had not been in touch, nor had we received a doctor's report.

k. On January 31, 2001, a conference call was held with Mr. Strong and ARC and on February 1, 2001 another letter was sent regarding the necessity of a doctor's report.

l. On February 2, 2001, Simon Poulton, Chief Financial Officer for ARC wrote to Mr. Strong (Exhibit E) advising him that unless we heard from him within seven (7) days, we would assume he did not want to work for us any longer.

m. On February 6, 2001, Mr. Strong's mother telephoned to see if we knew where her son was.

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n. On February 12, 2001, Debbie Evans wrote to Mr. Strong enclosing our standard P45 form (Exhibit F), which confirmed termination of employment with effect from 12<sup>th</sup> February 2001. No response to this letter was received.

o. I have not received any further response from Mr. Strong since January 31, 2001.

p. On September 3, 2001, the Declaration and Power of Attorney and Assignment documents for the above-referenced patent application were sent to joint-inventor, Paul Strong, via e-mail to his last know e-mail address, and via first class mail to his last known postal address as follows: 52 Stapleford Close, Chelmsford, Essex CM2 0RB, United Kingdom. To date, no response has been received. Copies of the transmittal letter and mailing receipts are attached hereto as Exhibit G.

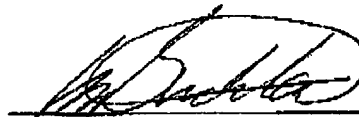
Accordingly, the foregoing facts indicate that a diligent effort was made to contact Mr. Strong regarding execution of the aforementioned Declaration and Power of Attorney and Assignment documents.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

ARC International (UK) Ltd.

Dated: September 19, 2001



Lorna Buckland, Human Resources Manager  
ARC House, The Waterfront  
Elstree Road, Elstree  
Herts WD63BS  
Telephone No. 011 44 20 8236 2808

**DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION**



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD AND APPARATUS FOR ENHANCING THE PERFORMANCE OF A PIPELINED DATA PROCESSOR**; the specification of which was filed March 8, 2001 as Application Serial No. 09/802,046.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below:

Provisional Application Serial No. 60/188,428 filed March 10, 2000;

Provisional Application Serial No. 60/189,634 filed March 14, 2000;

Provisional Application Serial No. 60/188,942 filed March 13, 2000; and

Provisional Application Serial No. 60/189,709 filed March 15, 2000

I hereby revoke any previous powers of attorney in the subject application, and hereby appoint the registrants of GAZDZINSKI & ASSOCIATES, 3914 Murphy Canyon Road, Suite A232, San Diego, California 92123, Telephone (858) 505-1166, including Robert F. Gazdzinski, Registration Number 39,990, as its attorneys with full power of substitution and revocation to

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prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of first inventor: **Paul Strong**

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: **52 Stapleford Close, Chelmsford, Essex CM2 0RB, United Kingdom**

Citizenship: **UNITED KINGDOM**

Post Office Address: **(Same as above)**

Full name of second inventor: **Henry A. Davis**

Inventor's signature *Henry A. Davis*

Date 13 July 2001

Residence: **2131 Delaware Avenue, Suite E, Santa Cruz, California – United States**

Citizenship: **UNITED STATES OF AMERICA**

Post Office Address: **(Same as above)**

Send Correspondence To:

Robert F. Gazdzinski, Esq.  
Gazdzinski & Associates  
3914 Murphy Canyon Road, Suite A232  
San Diego, CA 92123  
Telephone No. 858-505-1166  
Facsimile No. 858-505-1168

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